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PATENT APPLICATION
Attorney Docket No. RIB-001CP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Steitz *et al.*
SERIAL NO.: 09/922,251 GROUP NO.: 1631
FILING DATE: August 3, 2001 EXAMINER: Channing Mahatan
TITLE: Ribosome Structure and Protein Synthesis Inhibitors (As filed)
Modulators of Ribosomal Function and Identification Thereof (As
Currently Amended)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

Correspondence to be Entered into File (3 pages); and
Return Postcard.

Applicants believe that no fees are due.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anthony D. Sabatelli".

Anthony D. Sabatelli
Rib-X Pharmaceuticals, Inc.
300 George St., Suite 301
New Haven, CT 06510

Date: August 3, 2005
Reg. No.: 34,714

Tel. No.: 203-848-6920
Fax No.: 203-624-5627

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CORRESPONDENCE TO BE ENTERED INTO FILE

Applicants respectfully request that this paper be entered into the file.

Mr. Richard A. Bawcomb
Director Office of Patent Publication
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Mr. Bawcomb:

This letter is to formally thank you and your people (especially Ms. Janet Higgins, Ms. Darleen Lions, and Ms. Nadine Clark) for investigating and resolving an USPTO clerical error apparently delaying the issuance of the above-captioned patent application. This letter is also to provide a record of the events described herein.

Background

The following summarizes the chronology relevant to the above-captioned application. On June 3, 2004, the USPTO issued a Notice of Allowance. Applicants paid the issue fee on June 11,

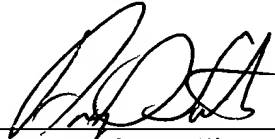
2004. By November 15, 2004, the application had not yet issued. Applicants then made periodic telephone inquiries to the USPTO from about November 15, 2004 through about April 26, 2005 about the status of the application and projected issue date. Based on these inquiries, Applicants believed that the application was close to issuance. However, on April 27, 2005, Applicants' outside counsel, Goodwin Procter LLP, received a "Notice of Drawing Inconsistency with Specification" that had been mailed from the USPTO on April 19, 2005. Applicants timely filed their response to this Notice (hand delivery to the USPTO) on May 9, 2005. On July 13, 2005, Applicants again resumed their telephone inquiries to check on the status of the application. Applicants' attorney, Dr. Anthony D. Sabatelli, spoke with Ms. Darlene Lions, Office of Patent Publication. Ms. Lions indicated that the application had been transferred to a Drawing Specialist on June 28, 2005 and that the file had not been returned for processing. She asked Applicants' Attorney to call back on July 20, 2005, when she would have further information about the application.

On July 20, 2005 Applicants' attorney, Dr. Sabatelli, again contacted Ms. Lions. She indicated that the records indicated that a "Notice of Drawing Inconsistency with Specification" had been mailed May 16, 2005. Ms. Lions indicated that Applicants' Attorney should speak directly with the Drawing Specialist, Ms. Nadine Clark. The next day, July 21, 2005, Applicants' attorney spoke with Ms. Clark. She indicated that a "Notice of Drawing Inconsistency with Specification" was mailed May 16, 2005, that Applicants had not responded to this Notice, and that the Application was abandoned. Applicants' attorney pointed out that the only "Notice of Drawing Inconsistency with Specification" that had been received was the Notice of April 19, 2005, and that a response had been timely filed on May 9, 2005. Additionally, Applicants' attorney indicated that Applicants had *not* received a Notice of Abandonment, and that the USPTO PAIR system indicated the application to be *active*. Applicants also indicated to Ms. Clark that the PAIR system contained an entry for May 16, 2005, but that the pdf file associated with the entry was actually a copy of the April 19, 2005 Notice. Ms. Clark indicated that Applicants' Attorney could speak with Director Bawcomb. Applicants' Attorney left a message for him to contact Applicants' Attorney about the application.

On July 26, 2005, Mr. Bawcomb contacted Applicants' Attorney. Applicants' Attorney explained the history of the situation to Mr. Bawcomb. Mr. Bawcomb indicated that he would have his troubleshooter, Ms. Janet Higgins, investigate the matter. Later that day, Applicants' Attorney was contacted by Ms. Higgins (two separate telephone conversations). She indicated that there had indeed been a clerical error whereby the original Notice of April 19, 2005 had been misdocketed as sent on May 16, 2005. She also indicated that Applicants timely response of May 9, 2005 had been received and that the docketing error made it appear as though the Notice had never been responded to. **Ms. Higgins confirmed that the application had not gone abandoned and was still active. She also indicated that Ms. Clark had been made aware of the error, that Applicants' response of May 9, 2005 had been found responsive, and that the application was in order to proceed to issuance.** Ms. Higgins indicated that the time to issuance would be approximately six weeks and that Applicants' Attorney should feel free to contact her should there be any follow-up questions or issues.

Again, than you for your assistance and the assistance of your staff in resolving this matter.

Respectfully submitted,



Anthony D. Sabatelli
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cc: Assist. Commissioner Peggy Focarino
Ms. Janet Higgins (Office of Patent Publication)
Ms. Darleen Lions (Office of Patent Publication)
Ms. Nadine Clark (Drawing Specialist, Office of Patent Publication)